

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 3 2014

Phil Lombardi, Clerk
U.S. DISTRICT COURT

①. Maahnchooh Ghogomu
Plaintiff(s)

vs. ②. Delta Airlines Global Services, LLC (Subsidiary of Delta Airlines Inc)
And ③. John Watts
Defendant(s)

Case Number:

14 CV - 049 JED - PJC

COMPLAINT

A. Parties

Maahnchooh Ghogomu

Los Angeles, CA

1) _____ is a citizen of _____
(Plaintiff) (State)

who presently resides at /or (mailing address): P.O. Box 150136, Tulsa, OK 74115

(mailing address if different from residence)

Delta Airlines Global Services, LLC

Atlanta, GA

2) Defendant _____ is a citizen of _____
(Name of first defendant) (City, State)

and is employed as Organization / Company

(Position and title, if any)

3)...Defendant John Watts _____ is a citizen of Tulsa, OK
(Name of second defendant) (City, State)

and is/was employed as Senior Manager with Delta Airlines Global Services, Tulsa Ok

(Position and title, if any)

[You may attach additional pages (8 1/2"x11") to furnish the above information for additional defendants.]

B. Jurisdiction

D) Jurisdiction is asserted pursuant to:

C. Nature of Case

D) Briefly state the background of your case:

Unjust termination and defamation following false allegations that I (Plaintiff) compromised aircraft safety, endangering lives of passengers & crew of Delta Flight 5188, departing Tulsa, OK to Detroit, MI on April 22, 2013 from Gate 28 at 6:00AM. And Upon arrival at Detroit, MI, fuel cap was missing, fuel door open, and damage caused to aircraft. I was labeled the wrong doer/culprit, when I was never assigned to fuel aircraft, neither assigned to perform aircraft preflight inspection(s) and/or marshaling on said aircraft as per Delta GOM.

D. Cause of Action

I allege the following:

- That I (plaintiff) was unjustly terminated and labeled as the wrong doer /culprit of the incident of Delta Flight 5188 as mentioned above, when I was neither assigned to the said aircraft/flight to perform functions mentioned above on the said aircraft/flight in the morning of April 22, 2013. I was rather assigned to Flight 1964 at Gate 30 which I worked and performed functions in compliance to Delta GOM. Delta Flight 1964 was headed for Atlanta departing at 6:05 AM on April 22, 2013. My incident report and appeal letter clearly states or emphasizes that, I was not responsible for any action for Flight 5188 which endangered the lives of crew members and passengers.

Defendant John Watts alleges he saw me (Plaintiff), and there is video proof. More supporting facts attached. I would kindly request signed duty log entries, video and other evidence used by defendants to base their decision on, to be presented during trial. I would also plead the court request phone transcripts of my conversations with Defendant (John Watts), written incident reports in possession with Delta management from my crew colleagues' subpoena. The destruction or falsification of written records will be subject to criminal investigation. During trial I will also present Airport Paralegal Services Report, after a thorough investigation, refuting the existence of any such video tape in the records as claimed by Mr. John WATTS, and FAA investigative report stating that the fuel contractor was responsible for the incident, and a fuel agent had been disciplinary counseled after their investigation (thus exonerating me - Plaintiff); consented recorded messages of witnesses, my termination appeal, phone transcripts between Delta Management and Plaintiff, as I now request authorization from court to be released and media published. **I AM VERY AGGRIEVED.**

2. Defamation per se- Imputation of incident of Delta Flight 5188 of April 22, 2013 mentioned previously above, which is false and potentially damaging to my Aviation profession as Aviator, Maintenance Technologist, Aircraft Mechanic, Aviation Business Management Expert thus; jeopardizing my FAA Certifications/Licenses, with possible future security clearance problems in a post "911" America, and also that my records may possibly be tainted soon or in the future pursuant to FAA Regulations regarding airmen compromising Aviation Safety.

Defamation per Slander- Defendants intentionally, maliciously and without just cause, slandered my name, career and reputation by knowingly making false, malicious and intentional statements about me and my job, and as a direct and proximate cause thereof, the Defendants have irreparably harmed me, my career, potentially a cause to damaging Licenses/certifications and future in the Aviation industry, and my image, which may also become a national security concern, being that this is in an industry (Aviation) considered highly sensitive and pertinent in national security. This is tantamount to career sabotage by the defendants. Supporting facts with regards to malice and/or resentment listed in communications on 10/25/2012; 04/05/2013; 05/02/2013; 05/23/2013.

3. Defendants willfully, maliciously and intentionally inflicted emotional distress upon me without just cause with the intent of harming me (Plaintiff), and as a direct and proximate cause. I am in fact irreparably harmed by the Defendants regarding the said accusation/incident which if it had resulted in fatality, I would have been immediately charged with man slaughter and punished with a prison term of Thirty(30) years to Life in prison pursuant of FAA regulations, meanwhile I am indeed innocent.

- 4..... That, Defendants at the incident to the time of Plaintiff's termination were employee and employer of their co-defendants, and in doing the things alleged in this complaint were acting within the course and scope of the employment corporation.

Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

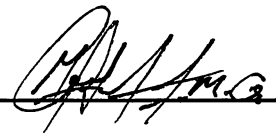
[If necessary, you may attach additional pages (SY," x 11") to explain any allegation or to list additional supporting facts in the same format as above.]

Find enclosed some preliminary supporting documents including facts just for now.

E. Request for Relief

I believe that I am entitled to the following relief:

- 1-Compensatory damages for emotional distress and pain, defamation, career jeopardy (FAA Licenses/Certification on the line, potential future employment in the industry may be hampered, future security clearance may be a problem, career sabotage and possible life time repercussions from false accusations, to the amount of Fifty (50) Million Dollars.
- 2-Deliberate or Willful or Intentional lies or Malicious actions as a result decision from Defendants to punish Plaintiff. Punitive Damages - One Hundred (100) Million Dollars.
- 3- Cost of Suit and/or other expenses incurred during legal process.
- 4- Written statement of apology and clearing me of any wrong doing in relation to aircraft incident.
- 5- Interest as allowed by law and such other further relief as the court may deem just and appropriate.



Original Signature of Plaintiff

(Mailing Address): P.O. Box 150136

Current Address

TULSA, OK 74115

City State ZIP

(918)-829-8431

Telephone

Home Mail News Sports Finance Weather Games Groups Answers Flickr More

Yahoo!
Mail

Search Mail

Search Web

 Donald

INBOX CONTACTS CALENDAR **RE: Open Reco...**

| Compose | Delete | Move | Spam | Actions |
|---|--|------|------|-----------------------------|
| Inbox (863) | RE: Open Records Act Request | | | Fri, Aug 9, 2013 at 9:06 AM |
| Drafts (44) | | | | |
| Sent | From Jeff Shaw | | | |
| Spam (22) | To Donald Gogomo | | | |
| Trash | | | | |
| FOLDERS | Dear Mr. Ghogomu, | | | |
| CAT Execs | You are welcome. It is my pleasure to serve. | | | |
| Notes | | | | |
| MESSANGER | Jeff L. Shaw, ACP Airports Paralegal | | | |
| Me: Offline | P.O. Box 581838 | | | |
| Sign in to Messenger to see who's online. | Tulsa, OK 74158.1838 | | | |
| | Telephone: 918-838-5056 | | | |
| | Email: jeffshaw@tulsaairports.com | | | |
| APPLICATIONS | | | | |



From: Donald Gogomo [mailto:donaldegogomo@yahoo.com]
Sent: Thursday, August 08, 2013 2:16 PM
To: Jeff Shaw
Subject: ***SPAM-W*** Re: Open Records Act Request

Dear Mr. Shaw,

I want to emensely thank you and your staff for your assistance and cooperation to this important matter, which could define my future and career in the aviation industry. My integrity has once more prevailed in this matter.

Sincerely;

Maahnchooh Donald Ghogomu (AMT/Aviator/Inventor Aircraft Engine Protection System)

"The ability of a wiseman may be perceived foolishness to an intellectual." AA. Donald Ghogomu

From: Jeff Shaw <JeffShaw@tulsaairports.com>
To: Donald Gogomo <donaldegogomo@yahoo.com>; "Shaw, Jeff" <JEFFSHAW@cityoftulsa.org>
Sent: Monday, August 5, 2013 9:42 AM
Subject: RE: Open Records Act Request

Dear Mr. Ghogomu,

After an extensive search by our airport safety head, and all of the dispatch video, we can find no documents or video responsive to your request. Before I responded, I wanted to make sure they had thoroughly investigated, and the results after the recheck was the same. As far as the Airport is concerned, we find absolutely no records or reports of any incidents between April 23 to May 23,2013 at gates 28 & 30.

Sincerely,

Jeff L. Shaw, ACP Airports Paralegal
P.O. Box 581838
Tulsa, OK 74158.1838
Telephone: 918-838-5056
Email: jeffshaw@tulsaairports.com






Federal Aviation Administration

Memorandum

Date: June 5, 2013

To: Manager, Reporting and Data Analysis Branch, AAE-300

From:  Manager, Atlanta Certificate Management Office

Prepared by: Clay Bean - Aviation Safety Inspector ATL CMO-65

Subject: **Hotline Complaint S20130521003 ExpressJet Airlines, Inc.**

This is in response to Aviation Safety Hotline Complaint #S20130521003. The complaint is concerned about ExpressJet Airlines Inc., Flight # 5118 that departed on April 22, 2013 from Tulsa, Oklahoma to Detroit, Michigan. The aircraft involved is a CRJ 700, Registration number N758EV, operating Delta Flight #5118. On arrival, the crew found the fuel door open and the fuel cap missing and cosmetic paint damage. The hotline complaint was: 1) the crew should have been alerted by warning indicators of the open fuel door; 2) was there a malfunction of the warning indication system; 3) were there logbook entries regarding the fuel door and cap?

For issues 1 and 2, a review of the CRJ700 AMM, Chapter 28 "Fuel System Description and Operation" and Wiring Manual 28-40-01 the inspector determined that there is no warning indication for the fuel door.

Regarding issue 3; an investigation of the aircraft maintenance records was performed including all the aircraft flight discrepancy log book entries for the day of the flight. Log page #3165547- Discrepancy: "Fuel door found open on arrival. Fuel cap missing and damage to wing fairing from fuel cap banging. (cosmetic exterior paint and decorative finished)". Maintenance Action: "Restored surface finish IAW CRJ 700 SRM 51-25-01."

The company followed up on this issue with the fueling contractor in Tulsa and they counseled the fueler regarding his failure to secure the fuel cap and door.

This office has completed the investigation of this incident and has determined that the operator conducted this flight in accordance with 14 CFR 121 and ExpressJet flight operations manual and procedures. In addition, all maintenance and inspections were accomplished in accordance with the CRJ 700 Aircraft Maintenance Manuals (AMM) and the ExpressJet General Maintenance Manual (GMM) and there were no violations of 14 CFR 121.

The FAA would like to thank the individual for taking an interest in aviation safety.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Audit and Evaluation

800 Independence Ave., SW.
Washington, DC 20591

July 1, 2013

MAACHOOH GHOGOMU
PO BOX 150 136
Tulsa, Oklahoma 74115

Dear Mr. Ghogomu,

This letter is in response to your concerns that were reported to the Federal Aviation Administration's (FAAs) Aviation Safety Hotline. The report number for this issue is S20130521003.

This issue was investigated by the FAAs Atlanta Certificate Management Office. The report of investigation is attached. The Office of Audit and Evaluation has reviewed the report of investigation and concurs with the findings. If you are dissatisfied with this decision you may submit one written letter of appeal to the Office of Audit and Evaluation containing specific allegations(s) you feel were not addressed from your original complaint.

Sincerely,

A handwritten signature in cursive script, reading "Kenyetta Spencer Mills".

Kenyetta Spencer Mills
Reporting and Data Analysis Branch
Office of Audit and Evaluations, AAE-300

Enclosure




Federal Aviation Administration

Memorandum

Date: OCT 22, 2013

To: Manager, Reporting and Data Analysis Branch, AAE-300

From: Kim O. Davies, Manager, Technical Branch, ASO-230 

Prepared by: Don Dodge, Regional Specialist, ASO-230, 404-305-7076

Subject: Response to Hotline S20130521003 Appeal

Within Hotline Appeal S2013052103, the complainant alleged there is poor supervision, a lack of redundancy in procedures, and suggested that differential pressure caused the fuel cap on the CRJ700 to "violently eject/pop out. In addition to these allegations, the complainant also recommended the FAA initiate the following actions.

1. The CRJ700 should have fuel cap/door electronic monitoring systems installed just as there is cargo-door or cabin-door monitors or switches which electronically signal the cockpit in case there is a malfunction or problem. Commercial fleets that do not have such systems could be retrofitted with such monitoring devices.
2. Proper supervision and management through well-structured procedures will be very valuable in preventing human error, which compromise aviation safety. Such include instituting proper redundancy procedures to assure quality and safety. Proper overhead monitoring of safety employees, Proper log-booking and proper general accountability at all levels including general ground operations or ramp activities directly involved with an aircraft.

ASO-230, Technical Branch has reviewed the allegations and recommendations in the Hotline Appeal and determined the complainant offers no new information. Considering the facts, the ASO-230 Technical Branch concurs with the Atlanta Certificate Management Office findings as reported in the June 5, 2013 memorandum to the Manager, Reporting and Data Analysis Branch, AAE-300.

The recommendations made by the complainant in this Hotline Appeal go beyond current FAA regulatory requirements. If the complainant wishes to have regulations enacted requiring the actions described, they may file a petition for rulemaking. Instructions and procedures for submitting the petition for rulemaking can be found in 14 CFR Subchapter B, Part 11 (Petition for Rulemaking) 11.61, 11.63 and 11.71.

FAX FROM: MAAHNCHOOH DONALD GHOGOMU (866282400)

EMAIL: donaldgogomo@yahoo.com

FAX ATTN: HUMAN RESOURCE DEPT. DELTA GLOBAL SERVICES ATLANTA

FAX No: (404)-773-3127

Date: 05/26/2013

Re: APPEALING TERMINATION DECISION ON MAY 17, 2013.

Dear Sir/Madam/Board Members DGS,

It has been a month since I was suspended, then followed by a termination decision from your office, related to an unsafe aircraft operation allegedly committed by me. I am very disappointed by the outcome of this decision made by the office of Delta Global Service Human Resource Office in Atlanta, which determined I should be terminated from my job, after finding me guilty of performing an unsafe operation on an aircraft which could have endangered the lives of crew members and passengers. I still insist in this appeal that, I did not perform the operation as stated or reported by Mr. John Watts, station manager. This is ridiculous! My career is in jeopardy, as my record will be tarnished within the aviation industry for something I did not do!

I find the decision of termination unjust, as I was not the agent who performed the operation which endangered the lives of the crew members and passengers. I am sorry this happened, even though I was not the agent/employee who performed this unsafe operation. I will never violate safety rules or operations as stated in our GOM.

After a month of suspension and termination from my job, I am hereby again requesting a thorough review of this case and investigation of this matter, while also requesting that I be reinstated to my job.

Sincerely;

A handwritten signature in black ink, appearing to read 'Mr.' followed by a stylized name.

Maahnchooh Ghogomu